# ADMINISTRATIVE SEARCH WARRANT AFFIDAVIT

STATE OF TEXAS \$
\$
COUNTY OF BEXAR \$

**BEFORE ME**, the undersigned authority, a Magistrate of the Municipal Court, San Antonio, Bexar County, Texas, on this day personally appeared [CODE/HEALTH/FIRE MARSHAL NAME] [BADGE #], from [Code Enforcement/Fire Marshal/Health Department] for the City of San Antonio, who being by me duly sworn, did depose and state:

My name is XXXXXX #XXXX. I am a Code Enforcement Officer certified by the State of Texas Department of Licensing and Regulations as a Code Enforcement Officer for the City of San Antonio, Texas. I am over the age of twenty-one (21), of sound mind and capable of making this affidavit. I have good reason to believe and do believe that serious violations of the City Health and Safety Codes are occurring at the premises as described in Bexar County Appraisal District as **[ADDRESS] with a legal description of [NCB XXX BLK 1 LOT 34]** which is located within the city limits of the City of San Antonio, Texas. The owner of record of the property per the Bexar County Appraisal District is **[NAME]**.

The above location per Bexar County Appraisal District record is a hotel – Limited Service. This property address has a code violation history of 26 calls for service from April 2019 to the present. In that time, there have been several San Antonio Property Maintenance code violations that include interior surfaces, exterior structure, zoning, water leak, sewer leak, graffiti, permits-vendors. Metro Health has advised that it has received complaints for mold in rooms, pool concerns, rigged electrical wiring, and water leaks.

On August 8, 2022, I personally observed from the parking lot of [TARGET ADDRESS], the property has repairs being conducted with no record of a permit application or active pending permits on file. Windows are broken and missing A/C units with plywood/cardboard covering window or holes that presents a danger to safe egress in case of fire or panic. Stairs going to the second floor are not properly connected with some type of wrapping around the rails and steps. The exterior property has scattered trash and debris around the parking lot and next to the dumpsters.

Therefore, to inspect the current safety condition of the structure and property a warrant is required to conduct a Dangerous Assessment Response Team (D.A.R.T.) inspection to assess all exterior and interior health and safety violations and take photos if needed. Also, the services of a city contractor may be acquired to secure the structure if necessary and cut and clean the exterior yard.

For the foregoing reasons, an Administrative Search Warrant is hereby requested to be issued authorizing a Texas Peace Officer and required City staff to enter the above-described premises to inspect for health, safety, and welfare violations pursuant to the authority granted in Section 18.05 of the Texas Code of Criminal Procedure.

SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_2022.

MAGISTRATE, MUNICIPAL COURT SAN ANTONIO, BEXAR COUNTY, TEXAS

STATE OF TEXAS	S	
	\$	KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BEXAR	\$	

#### ADMINISTRATIVE SEARCH WARRANT

### IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS, TO THE CODE ENFORCEMENT OFFICIAL OF THE CITY OF SAN ANTONIO, TEXAS:

#### GREETINGS:

WHEREAS, an affidavit on oath and in writing, which is hereto attached and expressly made a part hereof, has this day been made before me alleging that the premises described as:

ADDRESS: **[ADDRESS] with a legal description of NCB XXX BLK X LOT XX** in the City of San Antonio, Bexar County, Texas, said premises being under the control of or possession of:

Owner: [NAME].

is a place where serious violations of the City of San Antonio Health and Safety Code, more particularly described in said affidavit are alleged to exist, you are hereby commanded to enter immediately and search the above, described premises to determine the presence of a fire or health hazard, unsafe building condition, or a violation of any fire, health, or building regulation, statute, or ordinance.

The above location per Bexar County Appraisal District record is a hotel – Limited Service. This property address has a code violation history of 26 calls for service from April 2019 to the present. In that time, there have been several San Antonio Property Maintenance code violations that include interior surfaces, exterior structure, zoning, water leak, sewer leak, graffiti, permits-vendors. Metro Health has advised that it has received complaints for mold in rooms, pool concerns, rigged electrical wiring, and water leaks.

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HEREIN FAIL NOT, but return to me this warrant within three days from the date of its issuance showing how you have executed the same.

WITNESS my hand this the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022 at \_\_\_\_\_\_ a.m. /p.m.

## MAGISTRATE, MUNICIPAL COURT SAN ANTONIO, BEXAR COUNTY, TEXAS

OFFICER'S RETURN						
OFFICER S RETURN						
CAME TO HAND this the	day of	, 2022 at	_a.m./p.m.			
and executed on the	_day of	_,2022 at	_a.m./p.m. by			
, a City of San Antonio (Peace Officer Name) (Title)						